

**CITY OF NEVADA CITY**

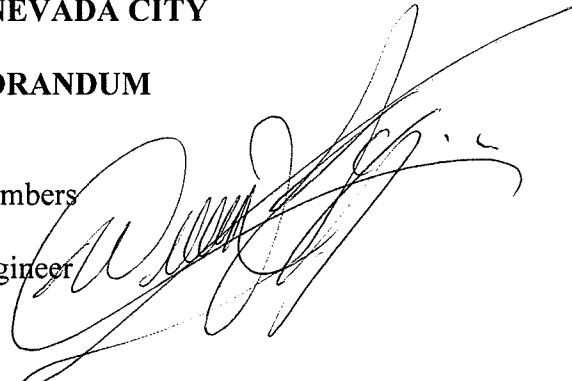
**MEMORANDUM**

**TO:** Honorable City Council Members

**FROM:** William J. Falconi, City Engineer

**DATE:** September 1, 2010

**SUBJECT:** Main Street, Street Closure



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**RECOMMENDED ACTION:**

Review proposal with recommendations, if any. Motion to adopt 2010-XX

**BACKGROUND INFORMATION:**

The AOC (Administration Office of the Courts) has asked the City staff to review and provide data for the new courthouse location in Nevada City.

One of the areas being considered is the school property adjacent to the existing courthouse facility on Washington Street and Winter Street. The proposed plan would be to connect this property to the east across Main Street to include the existing parking lot next to the Rectory for the Catholic Church. Therefore; the new facility would be surrounded by Winter Street, Washington Street, Court Street and the Catholic Rectory. This would require that Main Street between Washington Street and Court Street be abandoned.

Main Street between Court Street and Washington has a grade of 11%. This grade is more than would be allowed in a modern subdivision. The school system, when operating at Nevada City Elementary, avoided that grade and used upper Main Street and Cottage Street as much as possible. Staff has given a preliminary review of traffic flows and concurs that traffic could be accommodated with the abandonment of this portion of Main Street. Back in the mid 1960's, during the last Courthouse expansion, Winter Street was closed between Washington Street and Church Street, thus allowing for the

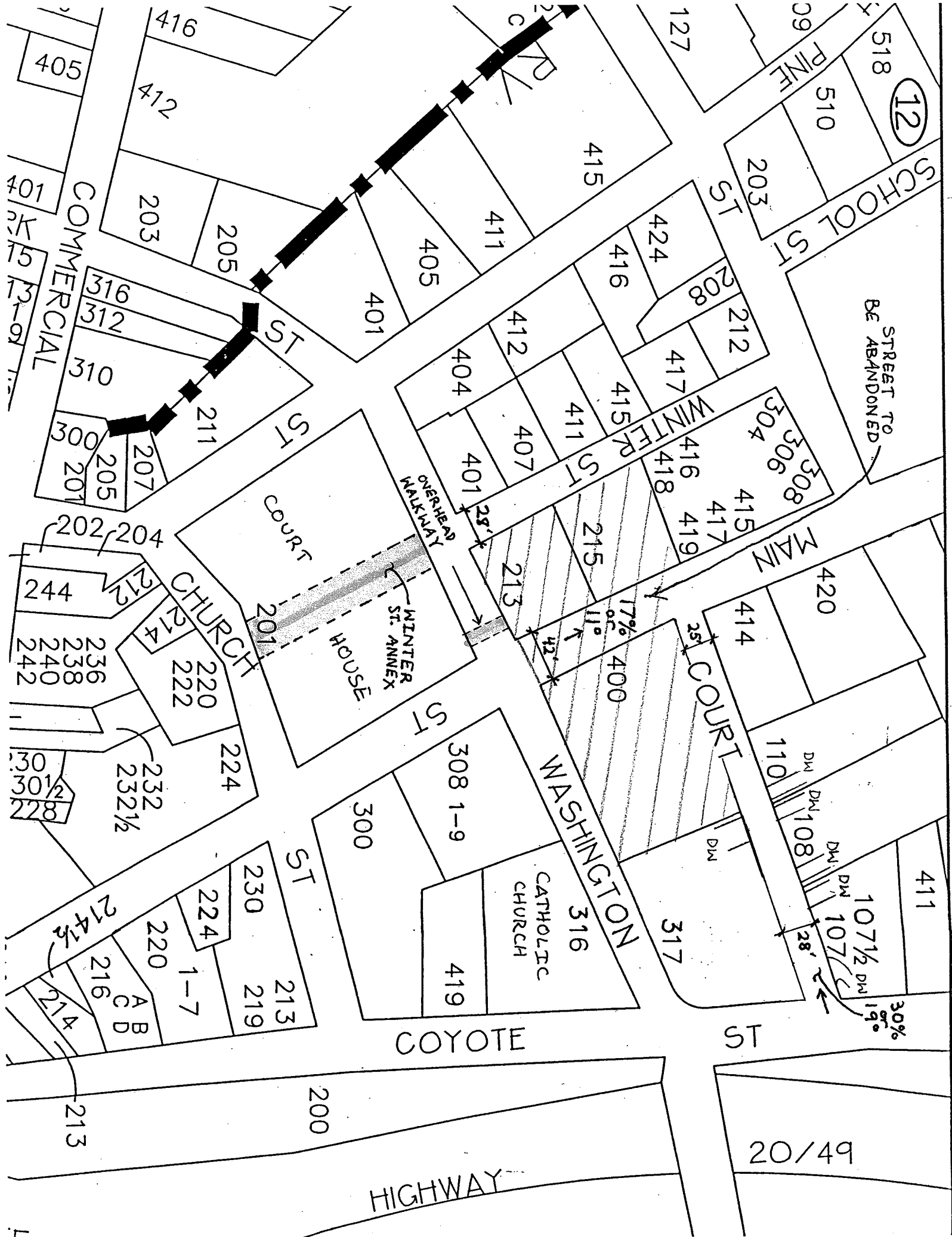


Courthouse Annex and expansion. This practice of street closure to help keep the courthouse downtown has been done in the past.

Winter Street should be improved with a new sidewalk on the west side and a full street section as much as existing right of way will accommodate. Also corrective work on Court Street to reduce the grade of 19% would assist in traffic flow. Washington Street would remain open throughout, both directions, and it will probably have an elevated walkway from the current Courthouse Annex area to the Washington Street/Winter Street/Main Street facility. This area would be ideal for underground parking and security in the new Court facility.

At this time the Council is asked to consider only the overall concept and give staff direction for future technical meetings with the AOC.







**RESOLUTION 2010-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY  
ADOPTING A MOTION OF INTENT TO ABANDON A PORTION OF MAIN  
STREET BETWEEN WASHINGTON STREET AND COURT STREET**

**WHEREAS**, the City Council of the City of Nevada City desires to keep the courthouse in the downtown core, and

**WHEREAS**, the State Administrative Office of the Courts (AOC) has expressed interest in abandoning and utilizing a portion of Main Street between Washington Street and Court Street for the purpose of constructing a new courthouse in the future, and

**WHEREAS**, during the last courthouse expansion in the mid 1960's, Winter Street between Washington Street and Church Street was abandoned to accommodate the courthouse annex, and

**WHEREAS**, The City Council of the City of Nevada City supports the AOC proposed request.

**PASSED AND ADOPTED** at a regularly scheduled meeting of the City Council of the City of Nevada City held this 8<sup>th</sup> day of September, 2010 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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**Robert Bergman, Mayor**

**ATTEST:**

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**Niel Locke, City Clerk**





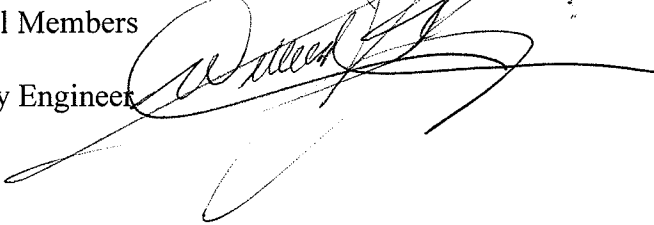
# City of Nevada City

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## CITY OF NEVADA CITY

### MEMORANDUM

**TO:** Honorable City Council Members

**FROM:** William J. Falconi, City Engineer 

**DATE:** August 27, 2010

**SUBJECT:** Summary Vacation of a Public Utility Easement on Lots 9 and 10 of Gold Flat Park, as shown on the Map Recorded in Book 7 of Subdivisions at Page 9 (Assessor's Parcel Nos. 37-060-52 & 53)

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#### **BACKGROUND & DISCUSSION:**

Donald Prairie, owner of Lots 9 and 10 of Gold Flat Park, as shown on the Map recorded in Book 7 of Subdivisions at Page 9, has requested the vacation of a Public Utility Easement. The Planning Commission approved a development permit for a building over the top of the easement. Nevada Irrigation District, Pacific Gas & Electric Company, Comcast Cable and AT&T **have all consented** to the vacation request. This procedure is made possible due to the fact that the new building will be occupying both lots simultaneously. Easements around the outer portions of the lots remain in full force

#### **RECOMMENDATION:**

Approve the next Resolution in order and have the City Clerk file

attachments



**RESOLUTION NO. 2010-XX**

**A RESOLUTION OF THE CITY OF NEVADA CITY APPROVING  
SUMMARY VACATION OF A PUBLIC UTILITY EASEMENT  
ON LOTS 9 & 10 OF GOLD FLAT PARK  
AS SHOWN ON THE MAP RECORDED IN  
BOOK 7 OF SUBDIVISIONS AT PAGE 9  
ASSESSOR'S PARCEL NOS. 37-060-52 AND 37-060-53**

**WHEREAS**, the City of Nevada City has received a request to vacate a Public Utility Easement on Lots 9 and 10 of Gold Flat Park, as shown on the Map Recorded in Book 7 of Subdivisions at Page 9 (Assessor's Parcel Nos. 37-060-52 and 37-060-53); and,

**WHEREAS**, the Nevada City Engineer has reviewed the proposed vacation and finds that this easement is no longer needed for the purpose that it was originally provided; and

**WHEREAS**, the City Planner reviewed the request and found the vacation of the easement is not in conflict with the Nevada City General Plan; and

**WHEREAS**, the easement has no further public benefit

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Nevada City, hereby

1. Summarily vacates the Public Utility Easement on Lots 9 and 10 of Gold Flat Park, as shown on the Map Recorded in Book 7 of Subdivisions at Page 9, and as shown on Exhibit "A."
2. Declares that from and after the date that this Resolution is recorded, the subject easement no longer constitutes a legal encumbrance.
3. Directs the City Clerk to record the Resolution of Summary Vacation.
4. Said easement to be vacated is described in Exhibits A & B attached hereto.

**PASSED AND ADOPTED** at the regular meeting of the City Council of the City of Nevada City on the 8<sup>th</sup> day of September, 2010 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

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**Robert Bergman, Mayor**

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**Niel Locke, City Clerk**



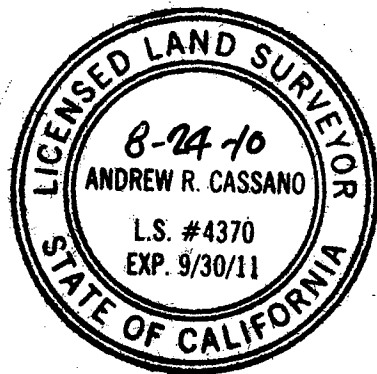
**EXHIBIT A  
LEGAL DESCRIPTION  
EASEMENT ABANDONMENT**

**AN EASEMENT TEN (10') FEET IN WIDTH** situate within a portion of Lots 9 & 10 of Gold Flat Park as shown on the map recorded in Book 7 of Subdivisions at Page 9, Nevada County Records, situate within the Northwest quarter of Section 18, Township 16 North, Range 9 East, M.D.M., Nevada County, California, **THE CENTERLINE OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT** the most westerly corner common to said Lots 9 & 10;  
**THENCE FROM SAID POINT OF BEGINNING** following the boundary line between said Lots 9 and 10 South 55° 30' East 100.00 feet; thence South 38° 21' 06" East 100.36 feet more or less to a point on the northerly line of the ten foot existing slope and public utility easement along Gold Flat Court.

This legal description was prepared by me based on an examination of record data in August 2010.

Portion APN's: 37-060-52 & 37-060-53

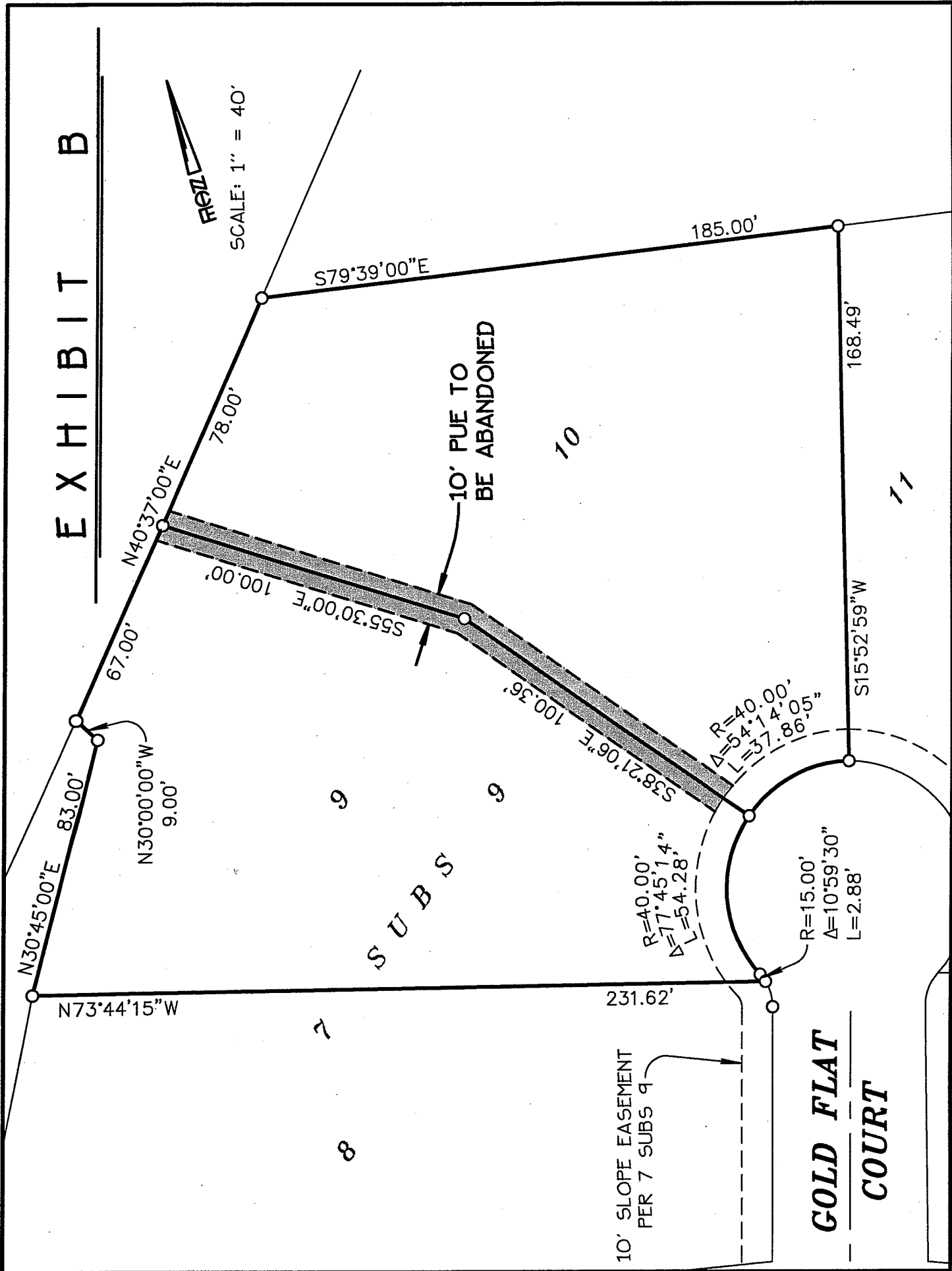


A handwritten signature in cursive script that reads "Andrew R. Cassano".

Andrew R. Cassano, LS 4370  
Professional Land Surveyor



# EXHIBIT B





**The concept:**

Building community is a top priority here and most of us try to make some contribution to that end. Taking care of our environment and building a strong economy are part of that goal. Yet the engines that drive the world of science and the policy process are outpacing our ability to keep up our understanding of these important issues and act in effective ways.

A core component of this 'understanding' is, and should be, education.

Most policy decisions today require some scientific or technical understanding. The field of science policy forges a linkage between scientific discovery and the policy makers' need to reduce risk and uncertainty in their decisions with more evidence. Science policy reflects public policies that either demand policy changes as a result of new scientific evidence or are based on the policy makers' needs for more scientific information to solve pressing policy issues.

We plan to present an educational lecture series focused on policy-relevant scientific issues that affect us socially and economically. Each of the programs in our series will be presented by experienced, renowned and engaging scientists and educators. \*

**The first topic/speaker:**

Now, first in the series will be a special, single-event, lecture. It will be given by Mary D. Nichols on Proposition 23 and the Global Warming Solutions Act of 2006 (AB 32). Ms. Nichols is Chair of the California Air Resources Board. From the ARB website ([www.arb.ca.gov/board/bio/marynichols.htm](http://www.arb.ca.gov/board/bio/marynichols.htm)):

*Mary D. Nichols was appointed by Governor Arnold Schwarzenegger as Chairman of the California Air Resources Board in July 2007. She returns to the Air Board 30 years after serving as the Chairman under Governor Jerry Brown from 1978 to 1983.*

*Nichols has devoted her entire career in public and private, not-for-profit service to advocating for the environment and public health. In addition to her work at the Air Board, she has held a number of positions, including: assistant administrator for the U.S. Environmental Protection Agency's Air and Radiation program under the Clinton Administration, Secretary for California's Resources Agency from 1999 to 2003, and Director of the University of California, Los Angeles Institute of the Environment.*

*As one of California's first environmental lawyers, she initiated precedent-setting test cases under the Federal Clean Air Act and California air quality laws while practicing as a staff attorney for the Center for Law in the Public Interest. Nichols holds a Juris Doctorate degree from Yale Law School and a Bachelor of Arts degree from Cornell University.*

*In her return as Chairman, Nichols' priorities include moving the state's landmark climate change program ahead, as well as steering the Board through numerous efforts to curb diesel pollution at ports, and continuing to pass regulations aimed at providing cleaner air for Southern California and the San Joaquin Valley. She values innovation, partnerships and common-sense approaches to addressing the state's air issues.*

*The Air Resources Board leads the country in working with the public, the business sector, and local governments to protect the public's health, the economy and the state's ecological resources through the most cost-effective reduction of air pollution. The Board now employs roughly 1,200 engineers, scientists and attorneys, with an annual operating budget of more than \$860 million.*



The timing of her talk could not be more compelling. Ms. Nichols will explain the significance of AB 32 and the consequences suspension of this statute could have on California's health and economic issues. She will lay out a rational, fact-based case for continuing implementation of AB 32, in large measure because it an important component in the struggle to overcome California's current economic troubles. Simply put, her lecture will help us understand the significance of AB 32 and other complementary programs in building California's future.

- \* The initial group of speakers in the series will address ocean-related topics. Although the oceans are distant and likely not uppermost in the minds of most of us in Nevada County, ocean health is essential regardless of where we live. 83% percent of the US economy (GDP) is generated in coastal states and more than 50% of all jobs and revenue are in coastal counties. This program will show why this is and what we can do to 'help.'



**Gene Albaugh**

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**From:** Tania Carlone [tania@sierraemail.com]  
**Sent:** Thursday, September 02, 2010 11:22 AM  
**To:** Gene Albaugh  
**Cc:** 'Elizabeth Soderstrom'; 'Carrie Monohan'; 'Mali Dyck'; 'Reinette Senum'; 'Sarah Regan'  
**Subject:** Nevada City Blue Water Bank

Gene,

Thank you for including these materials in the September 8<sup>th</sup> City Council agenda packet and for taking the time to speak with me about the project.

Find attached a one page summary of the concept proposal and a template support letter.

We look forward to making a project presentation at the City Council meeting next week.

Thank you again,

Tania

***Tania Carlone***

Nevada City Sustainability Team member  
530.265.4459

9/2/2010



# GRANT PROPOSAL SUMMARY PREPARED FOR THE CITY COUNCIL OF NEVADA CITY

RE: SIERRA NEVADA CONSERVANCY Proposition 84 Grants Program Pre-Application Process

Date: September 1, 2010

Project: The Blue Water Bank at Nevada City submitted by the Nevada City Sustainability Team

Amount Requested from the Sierra Nevada Conservancy's Proposition 84 Grants Program: \$87,000

**Project Goals and Objectives.** The overall goal of this project, entitled: *The Blue Water Bank at Nevada City* will be to pilot a model of how a Sierra community can become sustainable in water use by balancing the consumptive water needs of citizens with the ecological needs of their watershed. Objectives include:

- ❖ Develop and pilot the creation of a local Blue Water Bank whereby conserved water gets re-dedicated to instream flows for Deer Creek during critically low fall flows;
- ❖ Develop and pilot a "Blue Water Fund" whereby Nevada City water users can donate money to purchase water for instream flows through their water bills;
- ❖ Monitor the impact of these dedicated instream flows on the hydrology and ecology of Deer Creek; and
- ❖ Provide outreach and education to other Sierra communities to promote regional water sustainability.

**Project Partners and Staffing.** The Nevada City Sustainability Team is a council approved, ad-hoc committee committed to designing and implementing a city-wide sustainability plan. The team has identified a range of opportunities to meet this goal, and the Blue Water Bank at Nevada City is one of these priority activities ready for implementation. The Nevada City Sustainability Team will provide overall project management as well as coordination of outreach efforts, with assistance from Reinette Senum, who will serve as Liaison to the City Council. Staff from the City of Nevada City will also assist in working with water users to conserve water and donate to the Blue Water Fund. Luke Hunt, PhD, and Brett Swift, J.D. from American Rivers will provide technical and legal advise for setting up and maintaining water transfers. American Rivers will also monitor the impact of the water transferred to instream flows on the hydrology and ecology of Deer Creek. Lastly, Carrie Monohan, PhD, from The Sierra Fund will work as a liaison to NID.

**Project Tasks in brief. The Full proposal would provide much more detail with deliverables and budget.**

**Task 1: Project Management and Reporting.** Subtasks include: finalizing workplan, convening project team meetings, reporting to SNC, developing and managing subcontracts, overall partner coordination.

**Task 2: Design Blue Water Bank at Nevada City Strategy.** Draft a detailed strategy for the Blue Water Bank at Nevada City and ensure that all parties are in agreement. This strategy will be a consensus building and outreach tool describing the process of setting up a Blue Water Bank that can be used by other Sierra communities.

**Task 3: Quantify Existing Water Use and Set Conservation Targets.** Quantify the existing water use in Nevada City. E.g., we know that Nevada City uses ~233 million gallons/ year of water that equates to ~ 212 gallons/person /day. We might set a target of 10% reduction which would free up ~ 23 million gallons/year for instream use.

**Task 4: Design and Implement Blue Water Donation Forms in Water Bills.** Work with Nevada City staff to design Blue Water Donation Forms to include in water bills. Set up accounting system to track donations and transfer them to the Blue Water Bank at Nevada City for use in purchasing water for dedication to instream flows.

**Task 5: Design and Disseminate Water Use Efficiency Outreach Material.** Design and disseminate outreach and educational materials on how water users can become more water efficient. Provide outreach and education around the Blue Water Fund. Several events will also be organized to raise awareness around these topics.

**Task 6: Monitor Use Reduction.** Work with the existing metering system to determine how to track savings from efficiencies implemented by water users in Nevada City, and how to translate this information into amount of water to be transferred to instream flows.

**Task 7: Transfer Blue Water Savings into Changes in Water Management.** Work with NID to translate both the savings from water use efficiencies and money donated to the Blue Water Fund into changes in their operations allowing for releases from their upstream dam into Deer Creek in the early fall during unnaturally low flows.

**Task 8: Monitor Blue Water Impact.** Monitor the impact of the transferred water from consumptive water use to instream flows on the hydrology and ecology of Deer Creek.

**Task 9: Outreach to Other Sierra Communities.** Conduct outreach presentations, site visits, etc. to provide capacity-building to other Sierra towns on how to implement this sustainable water approach.